

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF VETERINARY MEDICAL
EXAMINERS

IN THE MATTER OF: : Administrative Action
:
GERALD M. BUCHOFF, B.V.S.C. : FINAL DECISION AND ORDER

This matter was opened to the New Jersey State Board of Veterinary Medical Examiners upon receipt of a complaint from a consumer. Mr. Buchoff appeared before the Board for an Investigative Hearing on August 22, 1990, at which time he testified under oath that the X-rays pertaining to the complaint had been discarded, as had no less than forty-eight other X-rays of other patients. He further testified that X-ray records pertaining to deceased pets, or inactive files, were routinely discarded in January and July of each year. On September 7, 1990, at the request of the Board, Mr. Buchoff submitted a list of all records which had allegedly been discarded. On May 15, 1991, a complaint penalty letter was issued by the Board charging Mr. Buchoff with failure to comply with a Board regulation concerning the maintenance of patient records. Mr. Buchoff requested a formal hearing which was held before the Board on June 12, 1991. Mr. Buchoff chose to appear pro se.

At the formal hearing Mr. Buchoff testified that he had

directed that records and X-rays be discarded once per year but that the missing records and X-rays had been discovered in a crawl space during a clean-up of his office. He stated that the records and X-rays which he had ordered discarded included those which had been taken as recently as within one year of the discard date.

The Board found that by ordering the discard of records and X-rays Mr. Buchoff had violated N.J.A.C. 13:44-2.22, the Board regulation which requires the retention of written records and radiographs on living patients for a period of five years and of deceased patients for three years from the date of last entry. The Board further found that many of the X-rays discovered and presented to the Board lacked identifying marks.

Based on the aforesaid findings, and on good cause shown,
IT IS on this 18th day of September, 1991,

ORDERED that Gerald M. Buchoff, B.V.S.C., shall, within 30 days of the entry of this Order, pay a civil penalty in the amount of \$1000.00, and it is further

ORDERED that, within 30 days of his receipt of an affidavit of costs, Gerald M. Buchoff, B.V.S.C., shall pay costs in the amount of \$296.00 by means of a certified check payable to the State of New Jersey and submitted to the Board.

STATE BOARD OF VETERINARY
MEDICAL EXAMINERS

BY:

George Cameron, D.V.M.
President